

Exhibit B1 – Second Threat Letter from American Remodeling (July 22, 2025)

Submitted By:

Plaintiffs Maryann Butler and Audury Petie Davis

FILED
HARRISBURG, PA

JUL 24 2025

PER

DEPUTY CLERK

Filing Context:

This exhibit is submitted in connection with Plaintiffs' Emergency Judicial Notice of Third-Party Imminent Harm and serves as a follow-up to Judicial Notice Supplemental Exhibit A, the first third-party demand letter from American Remodeling.

Exhibit Description:

This second written demand, dated July 22, 2025, issued by American Remodeling Enterprises, threatens imminent legal action unless Plaintiffs provide a formal loan denial letter from Defendant New American Funding (NAF) within seven (7) business days. The demand explicitly references a failed cash-out refinance application and cites breach of contract allegations arising from NAF's refusal to issue a denial letter. Plaintiffs never received such letter, as Defendant failed to formally conclude the loan file.

Strategic Purpose:

This exhibit confirms escalating real-world harm, further substantiating Plaintiffs' emergency filings in the Middle District of Pennsylvania and Third Circuit Court of Appeals. It also highlights Defendant's failure to issue required regulatory disclosures (e.g., adverse action notices) as mandated under 15 U.S.C. § 1691(d) of the Equal Credit Opportunity Act (ECOA). Defendant's conduct has placed Plaintiffs at risk of third-party litigation stemming directly from the incomplete refinance process.

Relationship to Other Exhibits:

- This letter supplements Judicial Notice Supplemental Exhibit A (first threat letter).
- Supports all references to third-party fallout, denial letter misconduct, and failure to conclude the refinance file in Exhibits D, D2, E, F, F2, and O.

- Forms part of the evidentiary chain in all pending emergency filings.

Filed With:

Judicial Notice of Third-Party Escalation and Procedural Misconduct

United States District Court for the Middle District of Pennsylvania

Case No. 1:25-cv-00690-CCC


American Remodeling ENTERPRISES
57 St James Street
Schuylkill Haven, PA 17972

CERTIFIED MAIL®

Retail



9589 0710 5270 3197 0608 61

RDC 99

17103

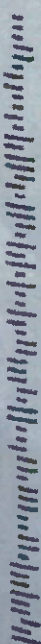
R2304E104848-01

\$10.48

U.S. POSTAGE PAID
FCM LETTER
SCHUYLKILL HAVEN
PA 17972
JUL 18, 2025

Maryann Butler + Peter Doyle
1823 State Street
Harrisburg, Pa. 17103

17103-155223





57 St James Street, Schuylkill Haven, PA 17972 570-739-1980

PA 004002

PA 008737

Maryann Butler & Pete Davis

1823 State Street

Harrisburg, Pa. 17103

57 St James Street

Schuylkill Haven, Pa. 17972

To; Maryann Butler & Pete Davis:

I am writing to you in regards to that you signed your contract on 1/28/25 and werew to have a down payment of \$11,736.00 due by 4/1/25 which was not received. The contract states that it is contingent on a loan that you were to aquire for this job. You have already received the cancelations fees letter, this letter is to state that if you have been denied for the loan then we will need a copy of the denial letter and once we receive that we will cancel the job completely with no cancelation fees.

Respectfully,

Kristle Ellis/Installation Scheduling Manager

Exhibit B2 – 24-Hour Notice Email to James McNally (July 22, 2025)

Submitted By:

Plaintiffs Maryann Butler and Audury Petie Davis

Filing Context:

This exhibit is submitted in connection with Plaintiffs' Emergency Judicial Notice of Counsel Irregularities and Imminent Harm and documents a direct email sent by Plaintiff Audury Petie Davis to attorney James McNally on July 22, 2025. The email serves as a final 24-hour notice addressing imminent third-party contract threats, failure to issue a denial letter, and refusal to respond to prior judicial filings.

Exhibit Description:

This email communication, sent by Audury Petie Davis on July 22, 2025, was addressed to James McNally of Cohen Seglias Pallas Greenhall & Furman PC. It constitutes a final 24-hour notice before escalation, demanding formal acknowledgment of third-party threat letters, a loan denial letter, and clarification of legal representation status. The message directly cites unresolved harm stemming from New American Funding's failed refinance process and McNally's failure to respond to multiple judicial notices and evidentiary filings.

Strategic Purpose:

This exhibit confirms Plaintiff's good faith efforts to prevent further third-party fallout and preserve judicial resources. It strengthens the evidentiary basis for sanctions and emergency relief sought against New American Funding and its legal representatives. It also establishes notice and opportunity for counsel to cure, satisfying any safe harbor requirement under Rule 11 prior to escalation in the Third Circuit Court of Appeals.

Relationship to Other Exhibits:

- This exhibit follows Judicial Notice Supplemental Exhibit A (first threat letter) and Exhibit B1 (second threat letter).
- Supports judicial escalation alongside Exhibits D, D2, E, F, F2, O, and Y.
- Reinforces ongoing counsel misconduct and refusal to mitigate third-party litigation exposure.

From: mfmallah87@icloud.com
Subject: Final 24-Hour Notice – Personal Representation Confirmation and
Imminent Harm Escalation
Date: Jul 22, 2025 at 2:54:46 PM
To: James McNally jmcnally@cohenseglia.com

Mr. McNally,

I am writing to formally notify you that I received a second threat letter from American Remodeling Enterprises earlier today, dated July 22, 2025. This follows the first letter already filed in the record in *Butler & Davis v. New American Funding*, and reflects a growing third-party legal threat directly caused by your client's failure to issue a denial letter or resolve the refinance fallout.

Despite your July 1st email indicating that your client was "not interested in settling," you have filed no substantive defense, even as third-party litigation now looms. This is real-world financial and legal harm being inflicted on me and my family, and I am forced to pursue emergency appellate relief as a result.

Accordingly, you are hereby placed on 24-hour notice to:

1. Respond by 3:00 PM on July 23, 2025, confirming whether your client intends to:
 - Settle this matter, or
 - Issue a formal loan denial letter to be forwarded to the contractor.
2. Confirm in writing whether you represent Amy Dale, Sean Wainwright, and Enrico Arvielo in their individual capacities in connection with the Verified Supplemental Complaint recently filed. If you do not respond, I will presume you do not represent them personally, and proceed with individual service.

Failure to respond to this final request will result in:

- Immediate filing of an Emergency Interlocutory Appeal with the Third Circuit Court of Appeals;
- Filing of a bar complaint regarding your failure to act ethically or protect the public from escalating third-party harm;
- Filing of a Motion for Sanctions in the district court regarding your role in prolonging financial injury and obstructing resolution.

This is your last opportunity to engage in good faith before escalation proceeds. I urge to please to take this seriously, because this is real life ... This company is pursuing me over your client's inaction to either settle or defensively litigate.

Respectfully,

Audury Petie Davis

Mfmallah87@icloud.com

[\(717\) 424-8220](tel:(717)424-8220)



Sent from my iPhone

EXHIBIT C1

Email from Attorney John Q. Howard – Procedural Threats Without Standing

Submitted by:

Audury Petie Davis, Pro Se Plaintiff

On behalf of Maryann Butler and Audury Petie Davis

Filing Context:

This exhibit is submitted into the Middle District of Pennsylvania case record to support Plaintiffs' forthcoming judicial notice regarding counsel irregularities, sanctions exposure, and intimidation tactics used outside of proper procedural channels.

Exhibit Description:

Exhibit C1 consists of an email sent by attorney John Q. Howard on or around July 22, 2025, in which Mr. Howard issued threats of sanctions and attempted to pressure Plaintiff Audury Petie Davis to withdraw properly filed federal pleadings. At the time of the email, Mr. Howard had not formally entered an appearance in the case and was not recognized as counsel of record by the Court.

Strategic Purpose:

This exhibit documents a pattern of off-record misconduct, improper threat tactics, and procedural overreach. It reinforces Plaintiffs' argument that defense counsel has engaged in bad faith attempts to disrupt judicial proceedings through unauthorized communication and intimidation.

Relation to Other Exhibits:

This exhibit complements Exhibit B2 (24-Hour Notice to James McNally) and aligns with Exhibit B1 (Second Third-Party Threat Letter from American Remodeling). Together, these materials support sanctions exposure, protective relief requests, and future judicial notices identifying procedural misconduct and counsel substitution irregularities.

From: Howard, John Q. jqhoward@foxrothschild.com
Subject: New Counsel & Final 24-Hour Notice – Personal Representation
Confirmation and Imminent Harm Escalation
Date: Jul 23, 2025 at 2:32:27 PM
To: mfmallah87@icloud.com
Cc: jmcnally@cohenseglias.com

Dear Mr. Davis:

My name is John Howard. I will be substituting in for Mr. McNally as counsel for New American Funding, LLC ("NAF") in this matter in the near future. We are still in the process of transferring the case but you can expect to see a substitution of counsel filing in the very near future. I therefore ask that you direct all future communications concerning my client and this matter to Mr. McNally and me until substitution is complete, at which point you can direct all communications to just me.

In response to your email to Mr. McNally dated July 22, 2025, I must remind you that your mother's loan application was withdrawn. Under such circumstances, NAF is not required to issue a formal denial letter since there was no loan for NAF to deny. With respect to your demand for a response to your "notice," please note that my client remains uninterested in engaging in any settlement discussions.

As to whether my firm intends to represent Amy Dale, Sean Wainwright, and Enrico Arvielo in their individual capacities in connection with your "Verified Supplemental Complaint," I can only say that your newly filed complaint is both procedurally and substantively defective and therefore requires no response. Among other things, your complaint, in addition to nearly all, if not all, other filings you have submitted since July 14th, is in direct violation of the Court's Order dated July 11, 2025 that expressly states that you "SHALL NOT file any documents on behalf of Plaintiff Maryann Butler, unless compliance with the requirements of Fed. R. Civ. P. 17 is demonstrated." To my knowledge, those requirements have not been met and these filings remain improper.

To that end, I hereby demand that you withdraw your latest filings, including your "Verified Supplemental Complaint" and Motions for Default Judgment by Friday, July 25, 2025. We are prepared to file a motion to strike these filings and to seek any and all relief, including sanctions, should you refuse.

Please be guided accordingly,
John



John Q. Howard

Associate

Two Commerce Square

2001 Market Street

Suite 1700

Philadelphia, PA 19103

☎ [\(215\) 299-2002](tel:(215)299-2002)

📠 [\(215\) 299-2150](tel:(215)299-2150)

✉ jqhoward@foxrothschild.com

Learn about our [new brand](#).

This email contains information that may be confidential and/or privileged. If you are not the intended recipient, or the employee or agent authorized to receive for the intended recipient, you may not copy, disclose or use any contents in this email. If you have received this email in error, please immediately notify the sender at Fox Rothschild LLP by replying to this email and delete the original and reply emails. Thank you.

EXHIBIT C2

LinkedIn Screenshot – John Q. Howard Announces New Role at Fox Rothschild

Submitted by:

Audury Petie Davis, Pro Se Plaintiff
On behalf of Maryann Butler and Audury Petie Davis

Filing Context:

Submitted into the Middle District of Pennsylvania case record to document recent professional affiliations and potential conflict disclosures regarding opposing counsel.

Exhibit Description:

Screenshot from LinkedIn dated July 22, 2025, showing attorney John Q. Howard announcing his new affiliation with Fox Rothschild LLP.

Strategic Purpose:

To support Plaintiffs' judicial notice regarding counsel irregularities, conflicts of interest, and improper substitution tactics amid pending litigation.

Relation to Other Exhibits:

Complements Exhibit C1 (Howard's threat email) and Exhibit C3 (screenshot showing concurrent association with Cohen Seglias). Reinforces strategic claims of procedural misconduct and appearance manipulation.

7:21

13



John Howard

About

Currently working as a construction litigation associate at Cohen Seglias Pallas Greenhall & Furman, P.C.

Activity

385 followers

Posts

Comments

Images



John Howard  • 3rd+

Litigation Attorney
2h • 

[+ Follow](#) 

I'm very pleased to share that I have joined Fox Rothschild, LLP as an associate litigation attorney. Thank you to all of my mentors, teachers, and friends who have helped me to reach this point in my career. To all of my new colleagues, I look forward to working together.



Home



My Network



Post



Notifications

19



Jobs